

**AMENDMENTS TO THE CLAIMS**

Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

**In the Claims:**

1. (Previously Presented) A semiconductor device having a multilayer structure, comprising:
  - at least two wiring layers, each formed in a wiring groove formed in a corresponding insulating film; and
  - a via contact embedded in a via hole formed in an insulating film formed between the at least two layers and made of a metal wiring material which is the same as that of the at least two wiring layers,
  - wherein the metal wiring material of the via contact contains an additive which is not contained in the metal wiring materials of the at least two wiring layers.
2. (Previously Presented) The semiconductor device according to claim 1, wherein the metal wiring material is Cu and the additive is Sn, Rh, Zn, Al, Ru, Cr, Pd, In, Mg, Co, Zr, Ti, Ag, Ir, Ni, Ge, Nb, B, or Hf.
3. (Previously Presented) The semiconductor device according to claim 1, wherein the metal wiring material is Al and the additive is Cu or Si.
4. (Previously Presented) The semiconductor device according to claim 1, wherein the metal wiring material is Ag and the additive is Cu.
- 5-10 (Withdrawn)
11. (Currently Amended) A semiconductor device comprising:

a first metal wiring layer made of a first wiring material, formed in a first wiring groove formed in a first insulating film on a semiconductor substrate;

a second insulating film on the first insulating film having the first wiring layer embedded therein;

a via contact embedded in a via hole formed in the second insulating film, the via contact being made of the same wiring material as the first wiring material, which contains an additive which is not contained in the first wiring material of the first wiring layer;

a third insulating film on the second insulating film having the via contact formed therein; and

a second metal wiring layer embedded in a second wiring groove formed in the third insulating film, the second metal wiring layer being made of the same metal wiring material as the metal wiring material of the first metal wiring layer.

12. (Previously Presented) The semiconductor device according to claim 11, wherein the metal wiring material is Cu and the additive contained in the metal wiring material is Sn, Rh, Zn, Al, Ru, Cr, Pd, In, Mg, Co, Zr, Ti, Ag, Ir, Ni, Ge, Nb, B, or Hf.

13-14 (Withdrawn)

15-19 (Previously Cancelled)